



**APPLICANT NOTES**  
**APPLICATION FOR A NEW PREMISES LICENCE**  
**LICENSING ACT 2003**

Council Offices	Council Offices	Council Offices
Neuadd Brycheiniog	Y Gwalia	Neuadd Maldwyn
Cambrian Way	Ithon Road	Severn Road
Brecon	Llandrindod Wells	Welshpool
Powys	Powys	Powys
LD3 7HR	LD1 6AA	SY21 7AS

## INTRODUCTION

This document is intended to give general guidance on how to make an application for a premises licence, under the Licensing Act 2003. A premises licence will permit licensable activities to take place on or from a premise. Licensable activities include live & recorded music, plays, films, indoor sporting events, dancing, late night refreshment. In some circumstances certain entertainment may be de-regulated and therefore no longer require a licence, for up to date advice on what entertainment is regulated please contact the licensing team

## WHO CAN APPLY?

Any person or organisation that carries on or intends to carry on a business that involves the use of premises for a licensable activity may apply. The applicant can be an individual person, several individuals, a club, a company or organisation, or persons applying on behalf of these people. Once the licence has been granted the applicant will become the licence holder. The person(s) or organisation applying for a premises licence is normally the owner of the business or the committee responsible for the building or premises. Applicants must be entitled to work in the UK.

## THE APPLICATION FORM

Before beginning to complete the application form, you are advised to consider the needs of your present & future business activities when considering the operation of your premises. An Operating Schedule is an essential part of your application. It is the part of the application documentation that indicates the activities proposed to be authorised by the licence, when they will take place, the overall opening hours, when the public are permitted on the premises, and how you will promote the Acts four licensing objectives. The four licensing objectives are the prevention of crime & disorder; Public safety; the protection of children from harm; & the prevention of public nuisance.

When the premises is occupied it will fall under the Regulatory Reform (Fire Safety) Order 2005 and to assist in complying with that legislation, a Fire Risk Assessment, including occupancy numbers should be submitted with this application.

### Part 1A Premises Details

The full details of the premises must be included, including post code

### Part 2 Applicant Details

The full details of the applicant(s) to be included.

### Part 3 Operating Schedule

Start date – fill in date you want the licence to start;

Limited Period – This section usually completed only if the licence is for a short period, where a Temporary Event Notice cannot be served.

General description – Brief outline of the premise, and of the licensable activities which you wish to hold in your premises.

Tick the sections that you require to be included on your licence.

Boxes A to J – using the 24 hour clock, enter the times you require for each activity. You will need to indicate if you wish the activities to be indoors, outdoors or both. When completing box M, the

supply of alcohol, please note you may include any seasonal variations; e.g. you may wish to extend hours for New Years Eve, carnival days etc.

Box K - You must complete this box, outlining any activities that may give concern in relation to children. This may include details of striptease etc.

Box L – Using the 24-hour clock, complete the hours the premises will be open to the public. The Police generally ask for a “drinking up period”, i.e. alcohol; sales finish 30 minutes before the premises closes.

Box M – The following boxes must be completed with any additional steps you intend to promote the four licensing objectives, such as the fitting of CCTV, door supervisors, the adoption of a underage sales policy etc. If you do not think that you are able to offer any conditions here, please enter NONE.

Details of DPS - If you intend to supply alcohol, a Designated Premises Supervisor is required. The person named as the DPS does not have to hold a personal licence at the time of application, but alcohol cannot be supplied until he/she has obtained one. If they already have a personal licence, please include the number and issuing authority.

Check List – You must tick the next 5 boxes, by doing so you acknowledge that you are enclosing all the appropriate forms, serving forms on the responsible authorities,

Part 4- Please sign and date the form here. If there are two or more applicants, all must sign. Your solicitor or agent may sign for you providing that they have your authority to do so.

Capacity – Please enter in what capacity you are signing, e.g. applicant, applicants solicitor or agent

Contact details – Please enter here if you wish all correspondence to be sent to a different address to the one provided at Part 2.

## **DOCUMENTATION**

**Please complete all documentation in black ink.**

The following documentation will be required:

- Completed and signed application form. (Form 9)
- If alcohol is to be sold on the premises, a Designated Premises Supervisor (DPS) is required. The consent of an individual to be specified as the DPS (Form 14) is to be completed & signed by the person who is to become the DPS. (This form need only be sent to the licensing authority & the Police).
- A plan of the premises must be included, to a scale of 1 cm to 100 cm. Plans must contain the extent of the boundary, internal & external walls, points of access & egress, escapes routes, stages etc.
- Evidence of applicant’s entitlement to work in the UK (see application form for list of acceptable documents)
- The application is sent to the Licensing Authority. Alternatively an application can be submitted and payment made on-line via the GOV.UK website or by e-mail direct to the licensing department, in which case a card payment for the fee can be made over the telephone.
- A copy of the application must be sent to **all** of the responsible authorities. (check Council’s website for an up to date Responsible Authorities list it can be found at Annex A to the

Statement of Licensing Policy ). For applications served electronically then the licensing authority will serve electronic copies of the applications on the responsible authorities.

## **ADVERTISING THE APPLICATION**

The Act requires that the application must be advertised both by displaying a public notice at the premises to be licensed and by putting a public notice in a local newspaper. The public notice must appear in a newspaper within the 10 working day period starting with the day after the application is received by us. A copy of the public notice from the newspaper must be forwarded to the Licensing Authority. The notice on the premises **MUST** be displayed for 28 consecutive days starting the day after notice is served on the Local Authority. The notice must be in a font size of at least 16 and the notice must be on blue paper. A copy of a template form can be obtained from your licensing officer. Notice of your application will also be posted on the Council's website.

## **PAYMENT**

The fee depends on the non-domestic rateable value of the premises. Please refer to the table of fees. Payment over the telephone by credit/debit card is preferred. For the time being the council will still process cheques (made payable to Powys CC). Please note that there are **no cash desks** located in the main council offices for cash payments.

## **PROCESSING**

On receipt of a full application and fee the licensing authority will :

- Check the details on the application, plan & consent form.
- Check that the applicant is entitled to work in the UK
- Contact the responsible authorities to ensure that they have received a copy of the application. The responsible authorities or interested parties, have 28 days from the date of receipt to object to the application.
- Post your application on the Council's website
- The Responsible Authorities may contact you, with conditions that they would like to be attached to the licence.
- If any of the responsible authorities or interested parties, objects to the grant of the application, then the application will be referred to the Licensing committee for a hearing:

*The Authority must hold a hearing within 20 working days. You will be notified of the date of the hearing and be invited to attend in order to speak in support of your application. The Panel will determine whether or not the application is granted.*

## **LICENCE ISSUE**

If the documentation is in order, the fee paid and no objections received from the responsible authorities or interested parties, or the 28 days consultation period has elapsed without response, or the licensing hearing has made a decision, then:

- The premises licence and summary is issued.
- If the applicant has a time limited right to work in the UK then the licence will be time limited in accordance with that entitlement
- In most cases the licensing authority will endeavour to visit the premises to go through the licence in detail.

**This guidance note has been made as comprehensive as possible. However, in attempting to simplify the law, certain requirements may have been omitted. Full details of what you must do are detailed in the legislation which can be found on the GOV.UK website along with further guidance. Alternatively contact the authority's Licensing Officers details below**

#### **CONTACT INFORMATION**

[licensingmont@powys.gov.uk](mailto:licensingmont@powys.gov.uk)

[licensingbandr@powys.gov.uk](mailto:licensingbandr@powys.gov.uk)

**Tel:** 0845 6027037

**Further Information on completing a Fire Risk Assessment can be found in the Business Fire Safety page on the Mid and West Wales Fire and Rescue website ([www.mawwfire.gov.uk](http://www.mawwfire.gov.uk))**